

ELDER ABUSE TRAINING

October 19, 2018
Black Canyon Conference Center
Phoenix, Arizona



PHYSICAL AND SEXUAL ABUSE OF VULNERABLE ADULTS

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Distributed by:

ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL

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Vulnerable Adult Abuse & Indicators

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Not just any adults...

§46-451 (9)

- Person 18 years of age or older who are unable to protect himself from abuse, neglect or exploitation by others because of physical or mental impairment. Includes incapacitated person (14-5101)



Neglect

§46-451 (6) Definition §46-455 (permitting)

- Pattern of conduct without their person's informed consent resulting is deprivation of food, water, medication, medical services, shelter, cooling, heating...



Self – Neglect...Challenges

- It is not a crime
- Social Services need to be introduced
- Often times Mental Illness is a factor
- What else?

Child or Vulnerable Adult Abuse

§13-3623

- A. Likely to produce death or serious physical injury...
- B. Other than those likely to produce death or serious injury...
- D. Covers Emotional abuse



Examples of Serious Injury

- Disfigurement
- Fracture
- Severe burn
- Severe laceration
- Mutilation
- Maiming
- Life-threatening internal injuries or condition, whether or not caused by trauma



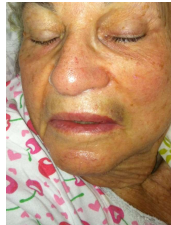
Indicators of Adult Abuse & Neglect

- Multiple/severe bruises/Black Eyes
- Restrained, tied to bed
- Poor hygiene/Soiled clothes & Bedding
- Broken Glasses/frames
- Poor Skin Condition
- Untreated Injuries
- Burns
- Dehydration
- Overmedicating
- Bed Sores
- Rapid Weight loss without illness




Senile Purpura vs. Bruise

- The skin develops a purplish or reddish brown appearance due to bleeding of small blood vessels underneath.




Scientific Look at Bruising

- 2002 study by Irving College of Medicine researchers
- 101 people over 65 and older – avg 85
- Examined head to toe for 2 weeks
- 90% of bruises were on extremities
- NOT 1 accidental bruise on neck, ears, genitals, buttocks or soles of feet
- Most common color 1st day – Red/Purple
- Some new bruises were yellow....




Deliberate Bruising...

- Orange County APS helped researchers
- 67 people- 65 and older – confirmed abuse
- Significantly larger bruises- 2 inches +
- 91% knew what caused the bruise, compared to non-abused group, only 28.6% knew the cause
- Bruises on head, neck, face, ears, feet and back torso
- Noted significant bruising on right arm



Elder Demographics & Exploitation...



Elders

In Arizona, by 2020, 1 in 4 Arizonians will be over the age of 65

65% of the Nation's Wealth is owned by Seniors over the age of 65

Almost 50% of those over the age of 85 will suffer from some form of dementia

Financial Exploitation of the Elderly is the 2nd most common crime in the US

Adult Exploitation

§13-1802 (B) Theft...

- Person knowingly takes control, title, use or management of vulnerable adult's property...to deprive them



Scope of Financial Exploitation

- 1 of 6 elders will be victims
- Only 4% of cases will be reported
- 30-40% of all abuse cases involve financial exploitation
- **Average victim will lose 30% of net worth and 1-3 years of life**

Common Personality Traits of Victims

- Gregarious – needs interaction
- Compulsive – Cannot pass a good deal
- Machismo – Can't be fooled
- Vulnerable – Experience recent trauma
- Naïve – Wants to believe

Indicators of Exploitation

- Depleted bank account
- Unexplained disappearance of funds
- Change in payee, POA or will
- Transfer of property or savings
- Individual reports signing papers and doesn't know what was signed
- Chronic failure to pay bills
- Forged or suspicious signatures on documents

Warning Signs that Elderly Person may be Target of a Fraud Scam

- Receiving a lot of junk mail for contests, trips, prizes & sweepstakes
- Frequent calls from strangers offering valuable awards, money making opportunities or asking for charitable contributions
- Making repeated and/or large payments to out-of-state companies
- Payments picked up by private courier services
- Receiving a lot of cheap items such as costume jewelry, small appliances, pens & pencils, beauty products, etc.
- Calls from organizations offering to recover money paid to telemarketers, for a fee.

How Perpetrator Influences Victim

- Credibility – using positions of authority
- Trust – using first names and being helpful
- Emotional Appeal – speaking to emotions and needs
- Scarcity – this will not happen again
- Urgency – you must act now


The victim may:

- Fear the caregiver
- Be prohibited from being alone with visitors
- Have recent or sudden changes in behavior
- Unexplained fear
- Unwarranted Suspicion
- Self-destructive activity or suicidal ideation
- Mistrust of other
- Fear retaliation
- Want to protect the abuser

Why Victims Do Not Report


- They fear the abuser
- They fear losing contact with the family
- They cannot over come guilt for reporting their child or relative as an abuser
- They are afraid a report will force them into a nursing home
- They are unaware anyone cares or can help

If you suspect abuse....ASK




**If you suspect abuse,
Questions to Ask...**

- Has anyone forced you to do things you didn't want to do?
- Has anyone taken things that belong to you without your permission?
- Does someone in your family make you stay in bed or tell you you're sick when you know you are not?




**If you suspect abuse,
Questions to Ask...**


- Are you afraid of anyone in your family?
- Has anyone close to you tried to hurt or harm you recently?
- Has anyone close to you called you names or put you down or made you feel bad recently?



Information for the Police Report




- Pertinent Information:
 - Separate caregiver from victim
 - Don't discount anything that is said by victim
 - Check for injuries, even if not reported
 - POA/Guardian/Conservator Info
 - Primary Care Doctor
 - Emergency Contacts
 - All diagnosis
 - Current Medications
 - Bank information – account numbers and names of account holders




Victim Interview

- What do you see, smell and hear...What are your observations?
 - Document living condition – cleanliness, food
 - Document condition of victim – clothing, hygiene
 - Document the victim's ability to answer questions
 - Consider a mini-mental exam
- Audio Record – Consider Video Taping
- The Art of Sensing what is NOT being said, recognizing it, and asking more questions



Prosecution Considerations & Challenges



Challenges with Vulnerable Adult Abuse Cases

- No Victim
- No Voice
- Hearsay Issues
- Complex Medical Issues

Common Defenses for Exploitation

"It was a loan"

"It was a gift"

"It was owed to me"

"I have Power of Attorney"

"I thought it would be alright"

"I bought it for the victim"

"It was an accounting error"

Ruthann Jacox...

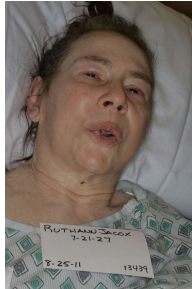
Ruthann Jacox

- Retired R.N
- 64 years of age
- Multiple Sclerosis
- Taken to Hospital
Severe Decubeti
- Abuser lived with
Ruthann



Neglect

- Weighed 86 pounds
- Isolated
- Denied Doctor



Ruthann's bedroom



The End

Resources...

Resource Material

- ARS
- National Institute of Justice
 - www.nij.gov
- National Criminal Justice Reference Service
 - www.ncjrs.gov
- Study about normal bruising
 - www.ncjrs.gov/pdffiles1/nij/grants/214649.pdf
- Study about abusive bruising
 - www.ncjrs.gov/pdffiles1/nij/grants/226457.pdf
- National Adult Protective Services Assoc.
 - <http://www.napsa-now.org/>
